

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

BRANDON RAYMOND BROWN,)
)
 Plaintiff,)
)
v.) CIVIL ACTION NO. 1:19-CV-358-ECM-WC
)
LT. KING, et al.,)
)
 Defendants.)

DECLARATION OF DONALD VALENZA
PURSUANT TO 28 U.S.C. § 1746

STATE OF ALABAMA)
)
COUNTY OF HOUSTON)

1. My name is Donald Valenza. I am over the age of nineteen and am competent to make this declaration, which is based on my personal knowledge, training and experience.

2. I am the duly-elected Sheriff of Houston County, Alabama. As Sheriff, I establish the policies and procedures for the Houston County Jail. Those policies and procedures are carried out by the Jail Commander, to whom I have delegated the day-to-day duties of operating the Houston County Jail.

3. I deny the allegations made against me by Plaintiff as being untrue and completely without basis in law or fact. I deny that I acted, or caused anyone to act, in such a manner as to deprive the Plaintiff of any right to which he was entitled. Specifically, I deny that Plaintiff has been housed in unconstitutional conditions or deprived of any rights guaranteed to him by the U.S. Constitution.

4. The Houston County Sheriff's Office operates the Houston County Jail according to a written set of policies and procedures which govern the conduct of persons employed at the jail.

5. All deputies at the Houston County Jail are charged with the responsibility of reporting infractions by fellow deputies and reporting any problem to the senior deputy present immediately upon learning of the problem.

6. I had no indication that my jail training, policies, procedures or supervision were likely to result in violations of an inmate's constitutional rights. There is no history of abuse by correctional officers or medical staff in the Houston County Jail.

7. The Houston County Jail has a grievance policy for inmates to express complaints. When an inmate has a grievance, the inmate may submit a grievance to jail staff. Inmates use a kiosk to submit grievances and other types of communication to jail staff. If a kiosk is not functioning, inmates are provided with paper forms to communicate with jail staff. A grievance will be promptly investigated and answered by a member of jail staff. Most grievances are answered by the grievance deputy. Grievances of an emergency nature may be made orally and are handled immediately. No negative action will be taken against an inmate as a result of filing a grievance. If an inmate is dissatisfied with the response to the grievance, he or she may appeal in writing up the chain of command to the Sheriff.

8. A copy of the Houston County Jail Inmate Rulebook, which contains instructions for submitting a grievance and other jail rules, is issued to each inmate as part of the booking process. Inmates, including Plaintiff, are well aware of the grievance procedures in place in the Houston County Jail.

9. The Plaintiff has failed to file any grievance concerning the allegations that are contained in this lawsuit. I have received no appeal of any grievance filed by the Plaintiff. Thus, Plaintiff has failed to follow the grievance procedure in place at the Houston County Jail.

10. I have no relevant knowledge of the Plaintiff's allegations regarding the presence of snakes in the jail kitchen. I am generally aware that a snake was reported in the jail kitchen and that jail staff attempted to remove this snake. I am generally aware that Commander Brazier worked with the Houston County Maintenance Department to have the old kitchen equipment where the snake was reportedly hiding removed and the jail kitchen cleaned. I have received no report that an inmate has been injured by a snake in the Houston County Jail.

11. The Houston County Jail passes inspections from the Health Department, from the Grand Jury and from the Federal Marshals.

12. I declare under penalty of perjury that the foregoing is true and correct. I further declare that I am competent to make this declaration, and that the above statements were made by drawing from my personal knowledge of the situation.

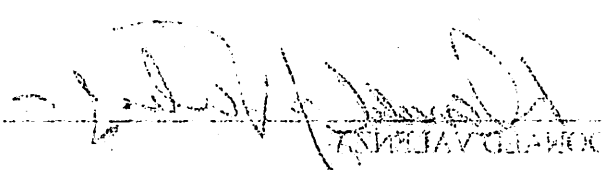
Executed on this the 21 day of November, 2019.


DONALD VALENZA

10. I have no relevant knowledge of the Plaintiff's allegations regarding the presence of
stitches in the jail kitchen. I am generally aware that a stove was reported in the jail kitchen and that
jail staff attempted to remove this stove. I am generally aware that Constable Brister worked in the
the Houston County Maintenance Department to have the old kitchen equipment where the stove was
reportedly being removed and the jail kitchen cleaned. I have received no report that an inmate has
been injured by a stove in the Houston County jail.

11. The Houston County jail has no inspections from the Health Department from the
Grand Jury and from the Federal Marshals.
12. I declare under penalty of perjury that the foregoing is true and correct. I declare
under penalty of perjury that I am competent to make this declaration, and that the above statements were made
freely from my personal knowledge of the situation.

Executed on this the 21st day of November, 2019.


DONALD VALENTIA